



सत्यमेव जयते

राजस्थान राजपत्र
विशेषांक

RAJASTHAN GAZETTE
Extraordinary

साअधिकार प्रकाशित

Published by Authority

आश्विन 24, बुधवार, शके 1941-अक्टूबर 16, 2019
Asvina 24, Wednesday, Saka 1941-October 16, 2019

भाग 6 (क)

नगरपालिकाओं संबंधी विज्ञप्तियां आदि।

**LOCAL SELF GOVERNMENT DEPARTMENT
NOTIFICATION
Jaipur, October 16, 2019**

NO.F.8(Ga)()Rules/DLB/19/33841.-In exercise of the powers conferred by section 43 read with section 337 of the Rajasthan Municipalities Act, 2009 (Act No. 18 of 2009), the State Government hereby makes the following rules further to amend the Rajasthan Municipalities (Election) Rules, 1994, namely:-

1. Short title and commencement.- (1) These rules may be called the Rajasthan Municipalities (Election) (Fourth Amendment) Rules, 2019.

(2) They shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint.

2. Substitution of rule 78.- The existing rule 78 of the Rajasthan Municipalities (Election) Rules, 1994, hereinafter referred to as the said rules, shall be substituted by the following, namely:-

"78. Election of Chairperson.- (1) The office of the Chairperson of a Municipality shall be filled by a person chosen by elected members of the Municipality.

Explanation: "Elected member" means a member elected from a ward of the Municipality.

(2) A person shall be eligible for being chosen as, or holding the office of, a Chairperson, if he is qualified and is not disqualified under the provisions of the Act for being chosen as a member of the Municipality.

(3) An elected member shall also be eligible for being chosen as, or holding office, of a Chairperson.

(4) Notwithstanding anything contained in sub-rule (2) and (3), a person shall not be eligible for being chosen as, or for holding office of, a Chairperson, if he is a member of the Parliament or the State legislative Assembly or is a member or Chairperson of a Panchayati Raj Institution.

(5) A person or an elected member, as the case may be, shall not be qualified to be chosen to fill the post of the Chairperson unless,-

- in the case of an office of the Chairperson reserved for the Scheduled Castes or Scheduled Tribes or the Backward Classes, such person is a member of any of these Castes or Tribes or Classes, as the case may be;
- in the case of an office of the Chairperson reserved for a woman, such person belongs to the female sex; and
- in the case of an office of the Chairperson reserved for a woman belonging to the Scheduled Castes or Scheduled Tribes or the Backward Classes, such person is a member of any of these castes or tribes or classes, as the case may be, and belongs to the female sex.

(6) The provisions of the rule 10 to 23, 56, 71 to 75, 86, 87 and 88 shall apply *mutatis mutandis* to the election of a Chairperson, subject to following modifications: -

- (i) that the nomination paper for the office of a Mayor shall not be valid unless accompanied with a receipt of security deposit of Rs. 30000/- in case of general candidate and Rs. 15000/- in case of woman candidate and candidates belonging to Scheduled Castes, Scheduled Tribes and Backward Classes;
- (ii) that the nomination paper for the office of President shall not be valid unless accompanied with a receipt of security deposit of Rs. 20000/- in case of general candidate and Rs. 10000/- in case of woman candidate and candidates belonging to Scheduled Castes, Scheduled Tribes and Backward Classes;
- (iii) that the nomination paper for the office of Chairman shall not be valid unless accompanied with a receipt of security deposit of Rs. 10000/- in case of general candidate and Rs. 5000/- in case of woman candidate and candidates belonging to Scheduled Castes, Scheduled Tribes and Backward Classes;
- (iv) that a candidate shall not be deemed to be duly nominated for election of the office of a Chairperson unless the nomination paper is subscribed by an elected member as a proposer;
- (v) the last date for filing of nominations shall be the second day after the day on which the result of elected members is declared, or if that day is public holiday, the next succeeding day, which is not a public holiday;
- (vi) the date for scrutiny of the nomination papers shall be the day next to the last date for the filing of nominations, or if that day is public holiday, the next succeeding day, which is not a public holiday;
- (vii) the date for withdrawal of candidature shall be the day next to the date of scrutiny of the nomination papers, or if that day is public holiday, the next succeeding day, which is not a public holiday;
- (viii) the symbol shall be allotted to the contesting candidates immediately after the expiry of time fixed for withdrawal of candidature;
- (ix) the design and form of the ballot papers shall be specified by the State Election Commission. The particulars on the ballot paper shall be in Hindi in Devnagri script;
- (x) the poll shall be taken, if necessary, in the meeting of elected members to be held in the office of the Municipality on the third day after the date for the withdrawal of the candidature or in exceptional circumstances any other later day as may be fixed by the State Election Commission. The votes shall be counted and result shall be declared immediately after the conclusion of the poll;
- (xi) the Returning Officer shall affix notice of meeting of elected members on the notice board of the municipality immediately after the expiry of time fixed for withdrawal of candidature stating therein,-
 - (a) 10.00 AM to 02.00 PM as the hours of poll;
 - (b) counting of votes shall be made immediately after completion of poll; and
 - (c) every contesting candidate, whether he is elected member or not, is entitled to attend the meeting to watch the proceedings of poll and counting of votes. However only elected member is entitled to cast his vote in the meeting;
- (xii) the Returning Officer may extend time for poll, if necessary or may declare the poll as finally concluded earlier in case all the elected member holding office have voted;
- (xiii) a person or elected person after chosen as Chairperson of a Municipality shall hold his office after taking oath before the Collector or his nominee in form prescribed under rule 69;

- (xiv) references to Form 1, Form 2, Form 3, Form 4, Form 5, Form 6, Form 7, Form 8, Form 22A and Form 23 shall be construed as including references to Form 1A, Form 2A, Form 3A, Form 4A, Form 5A, Form 6A, Form 7A, Form 8A, Form 22AA and Form 23A respectively; and
- (xv) reference to Schedule VI shall be construed as including reference to Form 22A-1."

3. Amendment of rule 79.- In sub-rule (2) of rule 79 of the said rules,-

- (i) for the existing expression "members and Chairperson", the expression "Chairperson" shall be substituted; and
- (ii) for the existing expression "its members", the expression "the Chairperson" shall be substituted.

4. Amendment of rule 80.- In rule 80 of the said rules, for the existing expression "election of members", the expression "election of Chairperson" shall be substituted.

5. Amendment of rule 96.- In rule 96 of the said rules, for the existing expression "Vice-Chairperson", the expression "Chairperson" shall be substituted.

6. Amendment of Schedule VIII.- In Schedule VIII appended to the said rules, for the existing expression "Vice-Chairperson", wherever occurring, the expression "Chairman/Vice-Chairman/President/Vice-President/Mayor/Deputy Mayor" shall be substituted.

7. Amendment of Form 1A.- In item (c) of para (2) in Form 1A appended to the said, for the existing expression "Last date", the expression "Date" shall be substituted.

8. Amendment of Form 2A.- In para (7) of Form 2A appended to the said rules, at the end, the following expression shall be added, namely:-

"in the meeting of elected members to be held in the municipality."

9. Substitution of Form 3A.- The existing FORM 3A appended to the said rules shall be substituted by the following, namely:-

"FORM 3A

(See rule 78)

NOMINATION PAPER

Election to the office of Chairperson of Municipal *Corporation/Council/
Board.....

PART - I

1. I, an elected member, nominate as a candidate for election to the office of Chairperson of Municipal*Corporation/Council/ Board.....of
2. Candidates Name.....
3. Father's/Mother's/Husband's Name
Sex.....Age.....
4. Postal Address
5. His name is entered at S.No..... in the Part No.
..... of electoral roll for the Ward Numberof the Municipality.
6. My name is and I am elected member from the Ward Number of the Municipality.

Date...../...../.....

(Signature of the proposer)

PART - II

1. I, the above mentioned candidate, assent to this nomination and hereby declare:-

- (a) that I have completed years of age;
 (b) that I am set up at this election by party;
 or

(c) that the symbols I have chosen are :-

- (i)
 (ii)
 (iii)

(d) that my name and my father's/mather's/husband's name have been correctly spelt out above in Hindi in Devnagri Script and I request that my name may be entered as such on the ballot paper.

(e) that to the best of my knowledge and belief, I am qualified and not also disqualified for being elected to the Municipality.

2. I further declare that I am a member of the
 caste/tribe/class, which is a Scheduled Caste/Scheduled Tribe/Backward Classes in Rajasthan State. I am enclosing herewith an authenticated copy of the caste/tribe/class certificate issued by..... on..... / /

3. I also declare that I am not a member of Parliament or a member of the State Legislative Assembly or a Member or Chairperson of a Panchayati Raj Institution.

Date/...../.....

(Signature of the candidate)

PART - III

(To be filled in by the Returning Officer)

1. Serial Number of the nomination paper is

2. This nomination was delivered to me at my office at (hours) on/...../..... (date) by the *candidate/proposer.

Date/...../.....

Returning Officer

PART - IV

(Decision of the Returning Officer)

I have examined this nomination paper and decide as follows.

.....

Date

Returning Officer

PART - V

(To be filled in by the Returning Officer and given to the person presenting the nomination paper).

1. Serial Number of the nomination paper

2. This nomination was delivered to me at my office at (hours) on/...../.....(date) by the *candidate/proposer.

Date/...../.....

Returning Officer

*Score out the words not applicable.

"

10. Deletion of Form 9A, Form 10A, Form 14CC, Form 17A, Form 19A, Form 20A and Form 21A.- The existing Form 9A, Form 10A, Form 14CC, Form 17A, Form 19A, Form 20A and Form 21A appended to the said rules shall be deleted.

By Order of the Governor,

Dr. Praveen Kumar,

Director cum Joint Secretary to the Government.

राज्य केन्द्रीय मुद्रणालय, जयपुर।